

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

SWD - Land Acquisition - VIZIANAGARAM District - Parvathipuram Mandal and Town - Acquisition of land to an ext. of Acs. 1-26 Cts. - Acquired for providing House sites to Weaker Sections - LOP No. 55/88 (E.P. No. 32/2007) on the file of Sr. Civil Judge Court, Parvathipuram - CRP No. 3839/06 filed against the orders in EP No. 12/2002 before the Hon'ble High Court - CRP Disposed off - Sanction of balance Decretal charges of ` 78,194 as per orders of High Court of A.P., dated 16.10.2006 - Sanctioned - Orders - Issued.

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SOCIAL WELFARE (LA.1) DEPARTMENT

G.O. Rt. No. 100

2011.

Dated, 02-02-

Read the following:

1. Collector, Vizianagaram District, Lr. No. 2014/2006/G1 dt. 19.3.10.
2. CSW Lr. No. LA3/10063/2000 dt. 28.4.2010.
3. From the Spl. CS & CCLA, A.P., Hyderabad, Lr. No. G2/752/2010 dt. 18.8.10.

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ORDER:

In the reference 3rd read above, the Spl.C.S. & Chief Commissioner of Land Administration, AP, Hyderabad has stated that the Collector, Vizianagaram District has reported that an amount of ` 1,23,357-10 Ps was deposited in the Court of Sr. Civil Judge Parvathipuram on 1.7.2005, against OP No. 55/88 in E.P. No. 12/2002 towards decretal charges for acquisition of land for providing House sites to Weaker Sections. Against these orders, CRP No. 3839/2006 was filed by the land owners, before the Hon'ble High Court for sanction of interest on solatium. The Hon'ble HC vide orders dated 16.10.2006 in CRP No. 3839/2002 set aside the impugned order and directed the trial court to arrive at the amount due as per the proposition laid down by the Constitutional Bench of the Supreme Court in Sunder's Case and to direct the respondent-judgment debtor to pay balance amount if any. As per the Sunder's Case, compensation includes not only the total sum arrived as per Sub-section (1) of Sec. 23 (Market value) but also the sums worked out under the remaining sub-sections thereof, which includes Solatium interest payable on the total amount of compensation including Solatium. The CCLA has further, informed that the total amount to be paid to the land owners as per the orders in CRP is ` 2,01,551 and after deducting the amount of ` 1,23,357 already deposited earlier in the court, the balance amount to be paid is ` 78,194.

2. The Spl.C.S. & Chief Commissioner of Land Administration, AP, Hyderabad has furnished the comparative calculation of decretal charges and requested the Government to take a decision for sanction of decretal charges to a tune of ` 78,194, to the Dist. Collector, Vizianagaram, towards payment of balance decretal charges, as per the orders of Hon'ble High Court dt.16/10/2006, in E.P.No.12/2002 in O.P.No.55/88, for the land acquired to an extent of Ac.1.26 cts. situated at Parvathipuram (M&T), Vizianagaram Dist. for providing house sites to the weaker sections people.

3. In the circumstances stated above, and after careful examination of the matter, the Government hereby accord sanction to the Commissioner of Social Welfare, AP, Hyderabad for release of an amount of ` 78,194 (Rupees Seventy eight thousand one hundred and ninety four only) to the District Collector, Vizianagaram towards payment of decretal charges in respect of the land acquired to an extent of Ac.1.26 cts. situated at Parvathipuram (M&T), Vizianagaram Dist. for providing house sites to the weaker sections people, as per the orders of

Hon'ble High Court dt.16/10/2006, in CRP No. 3839/2002 in E.P.No.12/2002 in O.P.No.55/88.

4. The amount of expenditure sanctioned at para (3) above, shall be debited to the following Head of Account and shall be met from the provision available in the Budget Estimates 2010-11.

"2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes -01 Welfare of Scheduled Castes – M.H.283-Housing – GH.11- Normal State Plan – SH (08) – Acquisition of House Sites to weaker sections under INDIRAMMA Programme – 310 – Grants-in-aid 312 – Other Grants-in-Aid".

5. The Commissioner of Social Welfare, Hyderabad, is directed to issue necessary proceedings to the Collector, Vizianagaram District accordingly.

6. The Collector, Vizianagaram District, is directed to verify the calculation sheet submitted by the Land Acquisition Officer once again before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per the instructions issued vide their U.O.Note No.12869/196/A1/Expr.SW/2009, dated.22-5-2009 and U.O. No. 15926/256/A1/Expr.SW/09, dated.17-8-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To,
Spl. Chief Secretary to Government and Chief Commissioner of Land Administration, AP, Hyderabad.
The Commissioner of Social Welfare, Andhra Pradesh, Hyderabad.
The Collector, Vizianagaram District.

Copy to :

The Director of Treasuries and Accounts, A.P. Hyderabad.
The Accountant General, A.P, Hyderabad.
The District Treasury Officer, Vizianagaram.
Finance (Expr.SW) Department.
Sf/sc

//FORWARDED::BY ORDER//

SECTION OFFICER